



# Your Missouri Courts

Missouri  
Case.net

Search for Cases by:

[Judicial Links](#) | [eFiling](#) | [Help](#) | [Contact Us](#) | [Print](#)

[Logon](#)

**13SL-AC02223 - DAVID RITTER V I C SYSTEM INC**

<b>Case Header</b>	<b>Parties &amp; Attorneys</b>	<b>Docket Entries</b>	<b>Charges, Judgments &amp; Sentences</b>	<b>Service Information</b>	<b>Filings</b>	<b>Scheduled Hearings &amp; Trials</b>	<b>Civil Judgments</b>	<b>Garnishments/Execution</b>
--------------------	--------------------------------	-----------------------	---	----------------------------	----------------	--	------------------------	-------------------------------

This information is provided as a service and is not considered an official court record.

**Sort Date Entries:** ☒ Descending ☐ Ascending  
**Display Options:** All Entries ☐

<b>03/01/2013</b>	<b>Hearing Scheduled</b> <b>Scheduled For:</b> 04/15/2013; 9:00 AM ; JOSEPH SHOCKLEE DUEKER; St Louis County <b>Hearing Continued/Rescheduled</b> <b>Hearing Continued From:</b> 03/04/2013; 9:00 AM Hearing
<b>01/29/2013</b>	<b>Summons Issued-Associate</b> Document ID: 13-ADSM-2484, for I C SYSTEM INC. <b>Hearing Scheduled</b> <b>Associated Entries:</b> 03/01/2013 - Hearing Continued/Rescheduled <b>Scheduled For:</b> 03/04/2013; 9:00 AM ; JOSEPH SHOCKLEE DUEKER; St Louis County
<b>01/16/2013</b>	<b>Summ Req-Assc Pers Serv</b> Request for Appointment of Special Process Server Filed. <b>Judge Assigned</b> DIV 43M <b>Confid Filing Info Sheet Filed</b> <b>Pet Filed in Associate Ct</b>

Case.net Version 5.13.1.1

[Return to Top of Page](#)

Released 02/21/2013

**Exhibit  
A**

3/5/2013

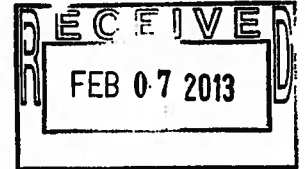
CT rcvd 2/4/13

2:14 P



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

16501026-1



Judge or Division: JOSEPH SHOCKLEE DUEKER	Case Number: 13SL-AC02223
Plaintiff/Petitioner: DAVID RITTER	Plaintiff's/Petitioner's Attorney/Address: JAMES WINDSOR EASON EASON & VOYTAS, LLC ONE NORTH TAYLOR AVE. ST. LOUIS, MO 63108 (314) 932-1066
Defendant/Respondent: I C SYSTEM INC	Date, Time and Location of Court Appearance: 04-MAR-2013, 09:00 AM DIVISION 43M ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: AC Other Tort	

(Date File Stamp)

## Associate Division Summons

The State of Missouri to: I C SYSTEM INC

Alias:

120 SOUTH CENTRAL AVE STE 400  
CT CORPORATION SYSTEM  
CLAYTON, MO 63105

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court on the date, time, and location above to answer the attached petition. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. You may be permitted to file certain responsive pleadings, pursuant to Chapter 517 RSMo. Should you have any questions regarding responsive pleadings in this case, you should consult an attorney.

If you have a disability requiring special assistance for your court appearance, please contact the court at least 48 hours in advance of scheduled hearing.

01-30-13

Date

Clerk

Further Information: AMH

## Sheriff's or Server's Return

Note to serving officer: Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

**IN THE CIRCUIT COURT  
ST. LOUIS COUNTY  
STATE OF MISSOURI  
ASSOCIATE DIVISION**

RECEIVED AND FILED  
CIRCUIT COURT OF  
ST. LOUIS COUNTY  
STREET LEVEL FILING OFFICE

2013 JAN 16 PM 12:58

**DAVID RITTER**

Plaintiff,

v.

**I.C. SYSTEM, INC.**

Defendant.

Serve Defendant at:  
CT Corporation System  
120 South Central Ave, Suite 400  
Clayton, MO 63105

JOAN M. GILMER  
CIRCUIT CLERK

Case No.

Division

**JURY TRIAL DEMANDED**

**PETITION**

COMES NOW, Plaintiff, David Ritter, and for his Petition states as follows:

**INTRODUCTION**

1. This is an action for statutory damages brought by an individual consumer for violations of the Fair Debt Collections Practices Act, 15 U.S.C. § 1692 *et. seq.* ("FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

2. Plaintiff demands a trial by jury on all issues so triable.

**JURISDICTION**

3. This Court has jurisdiction of the FDCPA claim under 15 U.S.C. § 1692k(d).

13. Defendant further stated that Plaintiff's account had been "flagged for litigation," and also made threats that it would soon credit report the debt against Plaintiff.

14. Defendant's references to litigation and credit reporting against Plaintiff were false, misleading, and designed to pressure Plaintiff into paying the debt. Defendant had no intention of suing Plaintiff to recover the alleged debt.

15. Plaintiff never entered into any agreement whereby he consented to arbitrate disputes between himself and Defendant.

16. Defendant's collection attempts have caused Plaintiff to incur actual damages including but not limited to anxiety, sleeplessness, and worry.

**COUNT I: VIOLATIONS OF FAIR DEBT COLLECTION PRACTICES ACT**

17. Plaintiff re-alleges and incorporates by reference all of the above paragraphs.

18. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed violations of the FDCPA, 15 U.S.C. § 1692 *et. seq.*, including, but not limited to, the following:

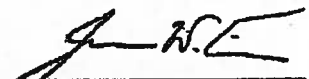
a. Using misleading, harassing, abusive, and unfair means to attempt to collect the alleged debt, including but not limited to telling Plaintiff that his validation request must be in writing and threatening Plaintiff with litigation and credit reporting over his alleged debt. 15 U.S.C. § 1692d-f.

b. Threatening action without intent to do so, including but not limited to threatening to sue Plaintiff over his \$290.42 debt. 15 U.S.C. § 1692e(5).

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for:

- A. Judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages;
- C. Statutory damages, costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692(k); and
- D. For such other relief as the Court may deem just and proper.

**EASON & VOYTAS, LLC**



---

**JAMES W. EASON, #57112**  
**RICHARD A. VOYTAS, #52046**  
**Eason & Voytas, LLC**  
**One North Taylor Avenue**  
**Phone: (314) 932-1066**  
**Fax: (314) 667-3161**  
**Email: james.w.eason@gmail.com**  
**rickvoytas@gmail.com**

4/5

IN THE CIRCUIT COURT  
ST. LOUIS COUNTY  
STATE OF MISSOURI  
ASSOCIATE DIVISION

RECEIVED AND FILED  
CIRCUIT COURT OF  
ST. LOUIS COUNTY  
STREET LEVEL FILING OFFICE

2013 JAN 16 PM 12:58

JOAN M. GILMER  
CIRCUIT CLERK

DAVID RITTER

Plaintiff,

v.

I.C. SYSTEM, INC.

Defendant.

Serve Defendant at:  
CT Corporation System  
120 South Central Ave, Suite 400  
Clayton, MO 63105

Case No. 413M

Division

135L-AC 02223

JURY TRIAL DEMANDED

PETITION

COMES NOW, Plaintiff, David Ritter, and for his Petition states as follows:

INTRODUCTION

1. This is an action for statutory damages brought by an individual consumer for violations of the Fair Debt Collections Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

2. Plaintiff demands a trial by jury on all issues so triable.

JURISDICTION

3. This Court has jurisdiction of the FDCPA claim under 15 U.S.C. § 1692k(d).



### **PARTIES**

4. Plaintiff is a natural person currently residing in St. Louis County, Missouri. Plaintiff is a "consumer" within the meaning of the FDCPA. The alleged debt Plaintiff owes arises out of consumer, family, and household transactions.

5. Defendant is a foreign corporation with its principal place of business in St. Paul, Minnesota. The principal business purpose of Defendant is the collection of debts in Missouri and nationwide, and Defendant regularly attempts to collect debts alleged to be due another.

6. Defendant is engaged in the collection of debts from consumers using the mail and telephone. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. §1692a(6).

### **FACTS**

7. Defendant's collection activity of which Plaintiff complains occurred within the past twelve (12) months. Overall, Defendant has been contacting Plaintiff since approximately 2009 to collect the debt.

8. Defendant's collection activity included at least one collection letter and numerous phone calls to Plaintiff.

9. Plaintiff called Defendant in December of 2012 to discuss the debt.

10. Defendant informed Plaintiff that the alleged debt Plaintiff owes is for medical services for one of his children in the amount of \$290.42.

11. Plaintiff, concerned that the amount was higher than he recalled, requested validation of the debt.

12. Defendant responded that such a request needed to be in writing and sent to Defendant.

13. Defendant further stated that Plaintiff's account had been "flagged for litigation," and also made threats that it would soon credit report the debt against Plaintiff.

14. Defendant's references to litigation and credit reporting against Plaintiff were false, misleading, and designed to pressure Plaintiff into paying the debt. Defendant had no intention of suing Plaintiff to recover the alleged debt.

15. Plaintiff never entered into any agreement whereby he consented to arbitrate disputes between himself and Defendant.

16. Defendant's collection attempts have caused Plaintiff to incur actual damages including but not limited to anxiety, sleeplessness, and worry.

**COUNT I: VIOLATIONS OF FAIR DEBT COLLECTION PRACTICES ACT**

17. Plaintiff re-alleges and incorporates by reference all of the above paragraphs.

18. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed violations of the FDCPA, 15 U.S.C. § 1692 *et. seq.*, including, but not limited to, the following:

a. Using misleading, harassing, abusive, and unfair means to attempt to collect the alleged debt, including but not limited to telling Plaintiff that his validation request must be in writing and threatening Plaintiff with litigation and credit reporting over his alleged debt. 15 U.S.C. § 1692d-f.

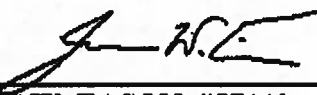
b. Threatening action without intent to do so, including but not limited to threatening to sue Plaintiff over his \$290.42 debt. 15 U.S.C. § 1692e(5).



WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for:

- A. Judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages;
- C. Statutory damages, costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692(k); and
- D. For such other relief as the Court may deem just and proper.

**EASON & VOYTAS, LLC**



**JAMES W. EASON, #57112**  
**RICHARD A. VOYTAS, #52046**  
**Eason & Voytas, LLC**  
**One North Taylor Avenue**  
**Phone: (314) 932-1066**  
**Fax: (314) 667-3161**  
**Email: james.w.eason@gmail.com**  
**rickvoytas@gmail.com**